

2001 DRAFTING REQUEST**Bill**Received: **12/04/2001**Received By: **fasttn**Wanted: **Soon**

Identical to LRB:

For: **Roger Breske (608) 266-2509**By/Representing: **Vaughn (aide)**This file may be shown to any legislator: **NO**Drafter: **fasttn**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**Extra Copies: **ARG, PJH - 1**Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Electric personal assistive mobility devices

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/P1		gilfokm 12/28/2001	haugeca 12/28/2001	_____	lrb_docadmin 12/28/2001		S&L
/1	fasttn 01/08/2002	gilfokm 01/08/2002	jfrantze 01/08/2002 kfollet 01/08/2002	_____ _____ _____	lrb_docadmin 01/08/2002		S&L
/2	fasttn	gilfokm	kfollet	_____	lrb_docadmin	lrb_docadmin	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketcd</u>	<u>Required</u>
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				_____		lrb_docadmin	
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FE Sent For:

<END>

→ At
Intro.

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

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Page 1

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Subject: **Transportation - motor vehicles**Extra Copies: **ARG, PJH - 1**Submit via email: **NO****Pre Topic:**

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Topic:

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FE Sent For:

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1/?	fasttn	1/11-12/27 KMG	CH 12-28	CH 12-28 HH			

FE Sent For:

<END>

ROGER BRESKE
STATE SENATOR

Capitol Address:
State Capitol, South Wing
P.O. Box 7882
Madison, WI 53707-7882
(608) 266-2509

Legislative Hotline:
1 (800) 362-9696



Home Address:
8800 Hwy. 29
Eland, WI 54427
(715) 454-6575

Timothy:

Roger is requesting that
the attached be drafted on
a Rush basis. He is
expecting to conduct a
hearing in the near future.

Thanks,
Vauger.

NJ Electric Personal Assistive Mobility Device(EPAMD)

Model Legislation

Section 1 (Definitions)

"Automobile" includes all motor vehicles except motorcycles and Electric Personal Assistive Mobility Device.

"Electric Personal Assistive Mobility Device" means a self-balancing two non tandem wheeled device designed to transport only one person with an electric propulsion system of less than 750 watts (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a propulsion system while ridden by an operator who weighs 170 pounds, is less than 20 m.p.h..

"Motorized bicycle" means a pedal bicycle having a helper motor characterized in that either the maximum piston displacement is less than 50 cc. or said motor is rated at no more than 1.5 brake horsepower¹ or is powered by an electric drive motor¹ and said bicycle is capable of a maximum speed of no more than 25 miles per hour on a flat surface provided, however, "Motorized bicycle" shall not be construed to include an Electric Personal Assistive Mobility Device.

"Motorcycle" includes motorcycles, motor bikes, bicycles with motor attached and all motor-operated vehicles of the bicycle or tricycle type¹ which meet all applicable federal standards for highway usage¹, except motorized bicycles, motorized scooters, [and] motorized skateboards, and Electric Personal Assistive Mobility Device as defined in this section, whether the motive power be a part thereof or attached thereto and having a saddle or seat with driver sitting astride or upon it or a platform on which the driver stands.

"Motorized Scooter" means a [scooter that] device which consists of a footboard between end wheels and is controlled by an upright steering handle attached to a front wheel and which is powered by a motor having a maximum piston displacement of less than [25] 50 cc. or an electric drive motor, [and] is capable of a maximum speed of no more than 25 miles per hour on a flat surface and is not registered with the director for use on the public highways of this State as a motorcycle; provided, however, for the purposes of sections 2 through 4 inclusive, of P.L. c. (now pending before the Legislature as this bill), "motorized scooter" shall not be construed to include a motorized wheelchair and Electric Personal Assistive Mobility Device.

"Motorized skateboard" means a skateboard that is¹ [powered by a motor having a maximum piston displacement of less than 25 cc. or an electric drive motor, and is capable of no more than 25 miles per hour on a flat surface]propelled otherwise than by muscular power¹ provided, however, "Motorized skateboard" shall not be construed to include an Electric Personal Assistive Mobility Device.

"Vehicle" means every device in, upon or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or motorized bicycles or an Electric Personal Assistive Mobility Device.

Section 5 (EPAMD Operation and Limitations)

a. Nothing in this Act or in New Jersey law shall be construed to limit the operation of an Electric Personal Assistive Mobility Device on the public highways, sidewalks and bike ways of this State except in the following:

1. A person operating an Electric Personal Assistive Mobility Device shall obey all speed limits and shall yield the right of way to pedestrians and human powered devices at all times. An operator must also give an audible signal before overtaking and passing any pedestrian. Failure to obey shall result in a warning for the first offense, \$10 fine for the second offense, and impoundment of up to thirty days for subsequent offenses.

2. Municipalities may prohibit the operation of an Electric Personal Assistive Mobility Device on public highways where the speed limit shall be greater than 25 miles an hour but shall not otherwise restrict the operation of an Electric Personal Assistive Mobility Device.

b. An EPAMD shall not require a license plate or be registered by the DMV;

c. An EPAMD may be operated at night provided that the operator wear reflectors and a headlight;

d. No proof of financial responsibility is required for the operation of an EPAMD;

e. Amend N.J.S.A. 39:4-10.8 (a) to read: It shall be unlawful to manufacture, assemble, sell, offer to sell or distribute roller skates [or], skateboards, or an Electric Personal Assistive Mobility Device unless such contain a warning notice. The warning notice must be substantially similar to the following: "REDUCE THE RISK OF SERIOUS INJURY AND ONLY USE WHILE WEARING FULL PROTECTIVE GEAR -- HELMET, WRIST GUARDS, ELBOW PADS AND KNEE PADS."

f. Amend N.J.S.A. 39:4-10.8 (b) to read: A person, firm, corporation or other legal entity regularly engaged in the business of manufacturing or assembling roller skates or skateboards or an Electric Personal Assistive Mobility Device who complies with the requirements of this section shall not be liable in a civil action for damages for any physical injury sustained by a user of roller skates or a skateboard or an Electric Personal Assistive Mobility Device as a result of that user's failure to wear a helmet in accordance with the provisions of this act.

"Electric Personal Assistive Mobility Device" (EPAMD) means a self-balancing two non tandem wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less."

Or,

"Electric Personal Assistive Mobility Device" means a self-balancing two non tandem wheeled device designed to transport only one person with an electric propulsion system of less than 750 watts (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a propulsion system while ridden by an operator who weighs 170 pounds, is less than 20 m.p.h..

In Wisconsin, "vehicles" are prohibited from being driven on a sidewalk unless permitted by local authorities.

Driving on sidewalk. The operator of a vehicle shall not drive upon any sidewalk area except at a permanent or temporarily established driveway unless permitted to do so by the local authorities. WI ST 346.94.

"Vehicle" means: *"every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except railroad trains. A snowmobile shall not be considered a vehicle except for purposes made specifically applicable by statute." WI ST 340.01.*

This definition includes many devices which are helpful to persons with disabilities, as well as to others who would like to use quiet, zero emission, low speed vehicles for mobility assistance.

Proposed amendment to exclude Electric Personal Assistive Mobility Devices from the definition of "vehicle" (WI ST 340.01).

An "Electric Personal Assistive Mobility Device" shall not be considered a vehicle.

~~*"Electric Personal Assistive Mobility Device" (EPAMD) means a device, designed to transport only one person, with an electric propulsion system of less than 750 watts (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a propulsion system while ridden by an operator who weighs 170 pounds, is less than 20 mph.*~~

Or

~~*"Electric Personal Assistive Mobility Device" (EPAMD) means a device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less."*~~

See other amendment

Fast, Timothy

From: Vance, Vaughn
Sent: Tuesday, December 18, 2001 8:58 AM
To: Fast, Timothy
Subject: RE: Scooter bill draft

Tim:

Not to worry. Do what you can. I'll make things work on this end. If it gets to be too much before the holidays, I could notice it with just an LRB so keep thta for a fallback.

VAUGHN

-----Original Message-----

From: Fast, Timothy
Sent: Monday, December 17, 2001 5:13 PM
To: Vance, Vaughn
Subject: RE: Scooter bill draft

Vaughn,

The draft is turning out to be trickier than I thought, primarily because the bill excepts these scooters from the definition of "vehicle". A lot of ch. 346 keys into "vehicle", regardless of what type of vehicle it is. I worked on it late last week, yesterday for half a day, and when I could today. I hope to wrap it up soon. If you need it sooner than in a couple of days, please give me a call. Thanks.

Peace, Tim

-----Original Message-----

From: Vance, Vaughn
Sent: Tuesday, December 11, 2001 3:38 PM
To: Fast, Timothy
Subject: RE: Scooter bill draft

Monday is fine. I told the boss he was pushing it. I convinced him this afternoon to schedule the bill for January 9th. Monday or Tuesday will be fine.

Appreciate your help.

VAUGHN

-----Original Message-----

From: Fast, Timothy
Sent: Tuesday, December 11, 2001 3:31 PM
To: Vance, Vaughn
Subject: Scooter bill draft

Vaughn,

I received your voice mail message. I hope to have the draft to you on Monday. Things are starting to get backed up. Will that work for you and Sen. Breske?

Peace, Tim

Timothy N. Fast
Senior Legislative Attorney
Legislative Reference Bureau
Phone: (608) 266-9739

2001

D-NOTE
Date (time) Wed 1/02
needed (Fri 12/28 if poss.)

LRB - 43631 P1

BILL

TNF:KMG:_____

Use the appropriate components and routines developed for bills.

AN ACT... [generate catalog] *to repeal ... ; to renumber ... ; to consolidate and renumber ... ; to renumber and amend ... ; to consolidate, renumber and amend ... ; to amend ... ; to repeal and recreate ... ; and to create ...* of the statutes; relating to: *electric personal assistive mobility devices and providing the penalty provisions.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #.

Section #. 23.33 (4) (d) 1. and 3. of the statutes are amended to read:

23.33 (4) (d) 1. To cross a roadway. The crossing of a roadway is authorized only if the crossing is done in the most direct manner ~~practical~~^{practicable}, if the crossing is made at a place where no obstruction prevents a quick and safe crossing² and if the operator stops the all-terrain vehicle prior to the crossing and yields the right-of-way to other vehicles ~~and~~ pedestrians using the roadway.

History: 1985 a. 29; 1987 a. 200, 353, 399, 403; 1989 a. 31, 275, 359; 1991 a. 39, 303, 315; 1993 a. 16, 105, 119, 405; 1995 a. 27 ss. 1350 to 1351, 9126 (19); 1995 a. 436, 448; 1997 a. 27, 248, 283; 1999 a. 9; 2001 a. 16.

3. To cross a bridge, culvert² or railroad right-of-way. The crossing of a bridge, culvert² or railroad right-of-way is not authorized if the roadway is officially closed to all-terrain vehicle traffic. The crossing is authorized only if the crossing is done in the most direct manner ~~practical~~^{practicable}, if the crossing is made at a place where no obstruction prevents a quick and safe crossing² and if the operator stops the all-terrain vehicle prior to the crossing and yields the right-of-way to other vehicles ~~and~~ pedestrians using the roadway.

History: 1985 a. 29; 1987 a. 200, 353, 399, 403; 1989 a. 31, 275, 359; 1991 a. 39, 303, 315; 1993 a. 16, 105, 119, 405; 1995 a. 27 ss. 1350 to 1351, 9126 (19); 1995 a. 436, 448; 1997 a. 27, 248, 283; 1999 a. 9; 2001 a. 16.

, and electric personal assistive mobility devices

Section #. 29.001 (57) of the statutes is amended to read:

29.001 (57) "Motor vehicle" means a self-propelled vehicle, including a combination of 2 or more vehicles or an articulated vehicle. "Motor vehicle" includes a snowmobile or an all-terrain vehicle. "Motor vehicle" does not include an aircraft ~~or~~ a vehicle operated exclusively on rails.

History: 1997 a. 248 ss. 39 to 47, 49 to 75, 84; 1999 a. 9.

or an electric personal assistive mobility device ✓

Section #. 59.84 (2) (j) of the statutes is amended to read:

59.84 (2) (j) *Traffic types and speed limits.* After an expressway project has been certified as completed, the public body having jurisdiction over the maintenance thereof shall have the power to regulate the type of vehicular use of such portion of the expressway except as limited by federal and state laws and regulations, and the power to fix speed limits thereon not in excess of the maximum speed limits for state trunk highways, and to provide and enforce reasonable penalties for infraction of such vehicular use regulation or speed limits. Notwithstanding s. 346.16 (2), the use of the expressways by pedestrians, mopeds, motor bicycles, motor scooters, bicycles, funeral processions, and animals on foot, ~~and~~ the hauling of oversized equipment without special permit shall be prohibited when an ordinance in conformity with this section is enacted by the board, but a forfeiture provided therein shall not exceed the maximum forfeiture under s. 346.17 (2). The board may not prohibit the towing of disabled vehicles on expressways, except that the board may prohibit the towing of disabled vehicles during the peak hours of 7 a.m. to 9 a.m. and 4 p.m. to 6:30 p.m. as established under county ordinance and except that the board may establish procedures for and may contract for the towing of vehicles which have become disabled on the expressway.

History: 1971 c. 164; 1973 c. 333 s. 201w; 1977 c. 29 ss. 673, 1654 (3), (8) (c), (d), (e); 1977 c. 70, 203, 338; 1979 c. 310 ss. 3 to 8, 10, 12; 1981 c. 347 s. 80 (2), (3); 1981 c. 390; 1983 a. 207 s. 95; 1983 a. 243; 1983 a. 501 s. 16; 1985 a. 29, 187; 1987 a. 27; 1993 a. 16; 1995 a. 201 s. 464; Stats. 1995 s. 59.84; 1995 a. 225 s. 173; 1997 a. 35; 1999 a. 83.

electric personal assistive mobility devices,

Section #. 167.31 (1) (h) of the statutes is amended to read:

167.31 (1) (h) "Vehicle" has the meaning given ~~under~~ⁱⁿ s. 340.01 (74), and includes a snowmobile,
as defined ~~under~~ⁱⁿ s. 340.01 (58a), except that for purposes of subs. (1) (c) and (cg) and (4m) "vehicle"
has the meaning given for "motor vehicle" in s. 29.001 (57).

History: 1985 a. 36; 1987 a. 27, 353; 1991 a. 77; 1993 a. 147; 1995 a. 122, 201; 1997 a. 248, 249; 1999 a. 32, 158;
2001 a. 8.

and an electric personal assistive mobility
device, as defined ~~under~~ⁱⁿ s. 340.01 (15g),

Section #. 287.81 (1) (b) of the statutes is amended to read:

287.81 (1) (b) "Vehicle" has the meaning given in s. 340.01 (74).

History: 1989 a. 335; 1991 a. 19; 1995 a. 227 s. 917; Stats. 1995 s. 287.81.

, and includes an electric personal assistive mobility device,
as defined in s. 340.01 (15 pm)

Section #. 340.01 (5e) and (5s) of the statutes are amended to read:

, electric personal assistive
mobility devices,

340.01 (5e) "Bicycle lane" means that portion of a roadway set aside by the governing body of any city, town, village, or county for the exclusive use of bicycles or other modes of travel where permitted under s. 349.23 (2) (a), and so designated by appropriate signs and markings.

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16.

(5s) "Bicycle way" means any path or sidewalk or portion thereof designated for the use of bicycles by the governing body of any city, town, village, or county.

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16.

and electric personal assistive mobility devices

SECTION #. CR; 340.01 (15^{pm}~~9m~~)

340.01 (15^{pm}~~9m~~) "Electric personal assistive mobility device" means a self-balancing device with 2 wheels not in a tandem line with an electric propulsion system of less than ~~1750 watts~~ ¹one horsepower ^{that} that is designed to transport only one person and ~~which~~ ^{that} is capable of speeds of not more than 20 miles per hour with a 170-pound rider on a dry, level, hard surface with no wind, when powered solely by such propulsion system.

Section #. 340.01 (43) of the statutes is amended to read:

340.01 (43) "Pedestrian" means any person afoot or any person in a wheelchair, either manually or mechanically propelled, or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled person.

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16.

, but does not include any person ⁱⁿ ~~on~~ an electric personal assistive mobility device

Section #. 340.01 (74) of the statutes is amended to read:

340.01 (74) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except railroad trains. A snowmobile shall not be considered a vehicle except for purposes made specifically applicable by statute.

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 83, 109, 140; 2001 a. 10, 16.

and, except as otherwise provided in ss. 346.02(12) and 349.015, electric personal assistive mobility devices

SECTION #. CR; 341.058

341.058 Electric personal assistive mobility devices. Electric personal assistive mobility devices, even though operated upon a highway of this state, are exempt from registration.

Section #. 344.01 (2) (g) of the statutes is amended to read:

344.01 (2) (g) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except vehicles used exclusively upon stationary rails or tracks.

History: 1971 c. 277; 1973 c. 90; 1977 c. 293; 1981 c. 284; 1985 a. 187; Sup. Ct. Order, 146 Wis. 2d xiii (1988); 1997 a. 27.

and ^{except} electric personal assistive mobility devices

(12)

Section #. 346.02 ~~(4)~~ of the statutes is created to read:

(12) ^(B)

ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES.

346.02 ~~(4)~~ APPLICABILITY TO ~~PERSONS RIDING BICYCLES AND MOTOR BICYCLES.~~ ~~(a) Subject to the special provisions applicable to bicycles, every person riding a bicycle upon a roadway or shoulder of a highway is granted all the rights and is subject to all the duties which this chapter grants or applies to the operator of a vehicle,~~ except those provisions which by their express terms apply only to motor vehicles or which by their very nature would have no application to bicycles. ~~For purposes of this chapter, provisions which apply to bicycles also apply to motor bicycles, except as otherwise expressly provided.~~ electric personal assistive mobility devices

~~(b) Provisions which apply to the operation of bicycles in crosswalks under ss. 346.23, 346.24, 346.37(1)(a) 2, (c) 2 and (d) 2, and 346.38, do not apply to motor bicycles.~~

History: 1971 c. 125, 277; 1981 c. 390 s. 252; 1983 a. 243; 1985 a. 29, 69; 1989 a. 56 s. 259; 1989 a. 335 s. 89; 1995 a. 138.

An electric personal assistive mobility device shall be considered a vehicle for purposes of ss. 346.04 to 346.10, 346.12[✓], 346.13[✓], 346.15[✓], 346.16[✓], 346.18[✓], 346.19[✓], 346.20[✓], 346.23[✓], 346.24[✓], 346.26 to 346.28[✓], 346.31 to 346.34[✓], 346.37 to 346.40[✓], 346.44[✓], 346.47[✓], 346.48[✓], 346.50 to 346.55[✓], 346.57[✓], 346.59[✓], 346.62[✓], 346.65 (5m)[✓], 346.67 to 346.70[✓], 346.78[✓], 346.80[✓], 346.87[✓], 346.90[✓], 346.91[✓], and 346.94[✓]

Section #. 346.05 (1m) of the statutes is amended to read:

346.05 (1m) Notwithstanding sub. (1), any person operating a bicycle may ride on the shoulder of a highway unless such riding is prohibited by the authority in charge of the maintenance of the highway.

History: 1995 a. 138; 2001 a. 15.

or electric personal assistive mobility device

Section #. 346.16 (2) (a) of the statutes is amended to read:

346.16 (2) (a) Except as provided in par. (b), no pedestrian² or person riding a bicycle or other nonmotorized vehicle and no person operating a moped ~~or~~ motor bicycle² may go upon any expressway or freeway when official signs have been erected prohibiting such person from using the expressway or freeway.

History: 1983 a. 243; 1987 a. 98.

or electric personal assistive
mobility device

SECTION #. The unnumbered subchapter title preceding 346.23 of the statutes is amended to read:

RESPECTIVE RIGHTS AND DUTIES²
OF DRIVERS, PEDESTRIANS²
~~AND~~ BICYCLISTS, AND²
RIDERS OF ELECTRIC PERSONAL²
ASSISTIVE MOBILITY DEVICES

Section #. 346.23 ~~of the statutes~~ ^{is} amended to read:

or electric personal assistive mobility device

(B) Crossing controlled intersection or crosswalk.
346.23 (1) At an intersection or crosswalk where traffic is controlled by traffic control signals

or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian, or to a person who is riding a bicycle in a manner which is consistent with the safe use of the crosswalk by pedestrians, who has started to cross the highway on a green or "Walk" signal and in all other cases pedestrians ²and bicyclists shall yield the right-of-way to vehicles lawfully proceeding directly ahead on a green signal. No operator of a vehicle proceeding ahead on a green signal may begin a turn at a controlled intersection or crosswalk when a pedestrian ²or bicyclist crossing in the crosswalk on a green or "Walk" signal would be endangered or interfered with in any way. The rules stated in this subsection are modified at intersections or crosswalks on divided highways or highways provided with safety zones in the manner and to the extent stated in sub. (2).

History: 1979 c. 36; 1985 a. 69.

, and riders of electric
personal assistive mobility
devices

, or rider of an
electric personal
assistive mobility
device

~~Section # 346.23 (2) of the statutes is amended to read:~~

or rider of an electric
personal assistive
mobility
device

~~346.23~~ (2) At intersections or crosswalks on divided highways or highways provided with safety zones where traffic is controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right-of-way to a pedestrian ²or bicyclist who has started to cross the roadway either from the near curb or shoulder or from the center dividing strip or a safety zone with the green or "Walk" signal in the pedestrian's or bicyclist's favor.

History: 1979 c. 36; 1985 a. 69.

of the pedestrian, bicyclist, or rider
of an electric personal assistive mobility
device

~~(2) and (3)~~
is, ~~made~~
Section #. 346.24 ~~of the statutes~~ amended to read:

③ Crossing at uncontrolled intersection or crosswalk.
346.24 (1) At an intersection or crosswalk where traffic is not controlled by traffic control signals or by a traffic officer, the operator of a vehicle shall yield the right of way to a pedestrian, or to a person riding a bicycle in a manner which is consistent with the safe use of the crosswalk by pedestrians, who is crossing the highway within a marked or unmarked crosswalk.

History: 1985 a. 69.

or electric personal assistive mobility device

Section #. ~~346.24~~ (2) of the statutes is amended to read:

~~346.24~~ (2) No pedestrian or bicyclist shall suddenly leave a curb or other place of safety and walk, run, or ride into the path of a vehicle which is so close that it is difficult for the operator of the vehicle to yield.

History: 1985 a. 69.

or rider of an electric personal assistive mobility device

~~Section #234624(3) of the statutes is amended to read:~~

~~234624~~ (3) Whenever any vehicle is stopped at an intersection or crosswalk to permit a pedestrian or bicyclist to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

History: 1985 a. 69.

, or rider of an electric personal
assistive mobility device


Section #. 346.25 of the statutes is amended to read:

346.25 Crossing at place other than crosswalk. Every pedestrian ² ~~or~~ bicyclist crossing a roadway at any point other than within a marked or unmarked crosswalk shall yield the right-of-way to all vehicles upon the roadway.


History: 1985 a. 69.

or rider of an electric personal
assistive mobility device

Section #. 346.28 (title) and (2) of the statutes are amended to read:

 **346.28 (title) Pedestrians to walk on left side of highway; pedestrians ~~and bicyclists~~ on side-**
walks.

History: 1985 a. 69; 1987 a. 259.

 **(2) Operators of vehicles shall yield the right-of-way to pedestrians ~~and bicyclists~~ on sidewalks**
as required by s. 346.47.

History: 1985 a. 69; 1987 a. 259.

and riders of electric personal assistive
mobility devices

(c)

Section #. 346.30 (1) ~~(a)~~ of the statutes is created to read:

(c)

346.30 (1) ~~(a)~~ Any ~~pedestrian~~ violating s. ~~346.24~~ 346.24 (2) ~~346.25~~ ~~or~~ ~~346.28~~ may be required to forfeit not less than \$2 nor more than \$20 for the first offense and not less than \$10 nor more than \$50 for the 2nd or subsequent conviction within a year.

History: 1971 c. 278; 1983 a. 27; 1985 a. 69; 1993 a. 198.

rider of an electric personal assistive
mobility device

(c) 2. and 3. and (d)

Section #. 346.37 (1) (a) 2. of the statutes⁴ amended to read:
are

346.37 (1) (a) 2. Pedestrians, and persons who are riding bicycles in a manner which is consistent with the safe use of the crosswalk by pedestrians, facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

History: 1975 c. 23; 1979 c. 152; 1985 a. 69; 1993 a. 490.

or electric personal assistive mobility devices

~~Section 4. 346.37(1)(c) 2. and 3. of the statutes are~~

or rider of an electric personal
assistive mobility device

~~46.37(1)(c) 2.~~ (c) 2. No pedestrian ~~or bicyclist~~ facing such signal shall enter the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

History: 1975 c. 23; 1979 c. 152; 1985 a. 69; 1993 a. 490.

3. Vehicular traffic facing a red signal at an intersection may, after stopping as required under subd. 1., cautiously enter the intersection to make a right turn into the nearest lawfully available lane for traffic moving to the right or to turn left from a one-way highway into the nearest lawfully available lane of a one-way highway on which vehicular traffic travels to the left. No turn may be made on a red signal if lanes of moving traffic are crossed or if a sign at the intersection prohibits a turn.

In making a turn on a red signal vehicular traffic shall yield the right-of-way to pedestrians ~~and bicy-~~ clists lawfully within a crosswalk and to other traffic lawfully using the intersection.

History: 1975 c. 23; 1979 c. 152; 1985 a. 69; 1993 a. 490.

, and riders of electric personal assistive mobility devices

~~Section 4.246.37 (1)(d) of the statutes is amended to read:~~

~~846.37(1)(d)~~ (d) *Green arrow*. 1. Vehicular traffic facing a green arrow signal may enter the intersection only to make the movement indicated by the arrow but shall yield the right of way to pedestrians ² and bicyclists lawfully within a crosswalk and to other traffic lawfully using the intersection. When the green arrow signal indicates a right or left turn traffic shall cautiously enter the intersection.

2. No pedestrian ² or bicyclist facing such signal shall enter the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

History: 1975 c. 23; 1979 c. 152; 1985 a. 69; 1993 a. 490.

and riders of electric
personal assistive mobility
devices

or rider of an electric
personal assistive mobility
device

and (2)

Section #. 346.38 (1) of the statutes ~~is~~ amended to read:
are

346.38 (1) WALK. A pedestrian, or a person riding a bicycle in a manner which is consistent with the safe use of the crossing by pedestrians, facing a "Walk" signal may proceed across the roadway or other vehicular crossing in the direction of the signal and the operators of all vehicles shall yield the right-of-way to the pedestrian or bicyclist.

History: 1975 c. 229, 421; 1979 c. 36; 1985 a. 69.

or electric personal assistive
mobility device rider

or electric personal
assistive mobility
device

~~Section 346.38 (2) of the statutes is amended to read.~~

~~636.38~~ (2) DON'T WALK. No pedestrian ^{or} bicyclist may start to cross the roadway or other vehicular crossing in the direction of a "Don't Walk" signal, but any pedestrian ^{or} bicyclist who has partially completed crossing on the "Walk" signal may proceed to a sidewalk or safety zone while a "Don't Walk" signal is showing.

History: 1975 c. 229, 421; 1979 c. 36; 1985 a. 69.

or rider of an electric
personal assistive mobility
device

Section #. 346.47 (1) of the statutes is amended to read:

346.47 (1) The operator of a vehicle emerging from an alley or about to cross or enter a highway from any point of access other than another highway shall stop such vehicle immediately prior to moving on to the sidewalk or on to the sidewalk area extending across the path of such vehicle and shall yield the right-of-way to any pedestrian ² ~~or~~ bicyclist and upon crossing or entering the roadway shall yield the right-of-way to all vehicles approaching on such roadway.

History: 1975 c. 229; 1985 a. 69.

, or rider of an electric
personal assistive mobility
device,

Section #. 346.54 (1) (e) of the statutes is amended to read:

346.54 (1) (e) For the purpose of parking, mopeds ~~as defined in s. 340.01 (29m)~~ shall be considered bicycles. Where possible without impeding the flow of pedestrian traffic, a bicycle ~~or~~ moped may be parked on a sidewalk. A bicycle ~~or~~ moped may be parked in a bike rack or other similar area designated for bicycle parking.

History: 1977 c. 288; 1983 a. 57, 243; 1985 a. 65; 1995 a. 138; 1999 a. 85.

or electric personal assistive
mobility device

and electric personal
assistive mobility
devices

Section #. 346.80 (title) and (1) of the statutes are amended to read:

346.80 (title) Riding bicycle on roadway.

History: 1973 c. 182; 1977 c. 208, 288; 1979 c. 197; 1985 a. 69; 1995 a. 138.

NEW (1) In this section, "substandard width lane" means a lane that is too narrow for a bicycle and a motor vehicle to travel safely side by side within the lane.

History: 1973 c. 182; 1977 c. 208, 288; 1979 c. 197; 1985 a. 69; 1995 a. 138.

or electric personal assistive mobility device

Section #. 346.80 (2) (a) (intro.), (b) and (c) of the statutes are amended to read:

346.80 (2) (a) (intro.) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand edge or curb of the unobstructed traveled roadway, including operators who are riding 2 or more abreast where permitted under sub. (3), except:

History: 1973 c. 182; 1977 c. 208, 288; 1979 c. 197; 1985 a. 69; 1995 a. 138.

(b) Notwithstanding par. (a), any person operating a bicycle upon a one-way highway having 2 or more lanes available for traffic may ride as near the left-hand edge or curb of the roadway as practicable.

History: 1973 c. 182; 1977 c. 208, 288; 1979 c. 197; 1985 a. 69; 1995 a. 138.

(c) Any person operating a bicycle upon a roadway shall exercise due care when passing a standing or parked vehicle or a vehicle proceeding in the same direction, allowing a minimum of 3 feet between the bicycle and the vehicle, and shall give an audible signal when passing a bicycle rider proceeding in the same direction.

History: 1973 c. 182; 1977 c. 208, 288; 1979 c. 197; 1985 a. 69; 1995 a. 138.

or electric personal assistive mobility device

Section #. 346.80 (4) and (5) of the statutes are amended to read:

or electric personal assistive
mobility device

346.80 (4) No person may operate a bicycle~~or~~ moped upon a roadway where a sign is erected indicating that bicycle~~or~~ moped riding is prohibited.

History: 1973 c. 182; 1977 c. 208, 288; 1979 c. 197; 1985 a. 69; 1995 a. 138.

(5) Except as provided in ss. 346.23, 346.24, 346.37, and 346.38, every rider of a bicycle~~shall~~, upon entering on a highway, yield the right-of-way to motor vehicles.

History: 1973 c. 182; 1977 c. 208, 288; 1979 c. 197; 1985 a. 69; 1995 a. 138.

or electric personal assistive mobility device,

, (2) and (3)

Section #. 346.803 (title), (1) (intro.) and (a) of the statutes are amended to read:

346.803 (title) Riding bicycle on bicycle way.

History: 1973 c. 182.

No 9 (1) (intro.) Every person operating a bicycle upon a bicycle way shall:

History: 1973 c. 182.

(a) Exercise due care and give an audible signal when passing a bicycle rider or a pedestrian proceeding in the same direction.

History: 1973 c. 182.

or electric personal assistive mobility device

~~Section # 346.803 (2 and 3) of the statutes are amended to read:~~

~~346.803~~ (2) Every person operating a bicycle upon a bicycle way open to 2-way traffic shall ride on the right side of the bicycle way.

History: 1973 c. 182.

(3) Every operator of a bicycle entering a bicycle way shall yield the right-of-way to all bicycles and pedestrians in the bicycle way.

History: 1973 c. 182.

or electric personal assistive mobility device

Section #. 346.804 of the statutes is amended to read:

346.804 Riding bicycle on sidewalk. When local authorities under s. 346.94 (1) permit bicycles on the sidewalk, every person operating a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle rider or pedestrian proceeding in the same direction.

History: 1973 c. 182.

or electric personal assistive
mobility device

346.805

Section #. ~~346.804~~ of the statutes is created to read:

electric personal
assistive mobility
devices

electric personal assistive mobility device

346.805

~~346.804~~ Riding ~~bicycle~~ on sidewalk. When local authorities under s. 346.94 (1) permit ~~bicycles~~
on the sidewalk, every person operating ~~a bicycle~~ upon a sidewalk shall yield the right-of-way to
any pedestrian and shall exercise due care and give an audible signal when passing a bicycle rider
or pedestrian proceeding in the same direction.

History: 1973 c. 182.

a
~~person~~

or bicyclist
~~or person~~

or electric
personal assistive
~~person~~ mobility
device

an electric personal assistive mobility device

Section #. 346.82 (title) and (1) of the statutes are amended to read:

346.82 (title) Penalty for violating sections 346.77 to ~~346.804~~.

346.805

History: 1971 c. 278; 1973 c. 182; 1983 a. 243.

→ **Not**

(1) Any person violating ss. 346.77, 346.79 (1) to (3) or 346.80 to ~~346.804~~ may be required to
forfeit not more than \$20.

History: 1971 c. 278; 1973 c. 182; 1983 a. 243.

Section #. 346.94 (12) of the statutes is amended to read:

346.94 (12) DRIVING ON BICYCLE LANE OR BICYCLE WAY. No operator of a motor vehicle may drive upon a bicycle lane or bicycle way except to enter a driveway, to merge into a bicycle lane before turning at an intersection, or to enter or leave a parking space located adjacent to the bicycle lane or bicycle way. Persons operating a motor vehicle upon a bicycle lane or bicycle way shall yield the right-of-way to all bicycles within the bicycle lane or bicycle way.

History: 1973 c. 182, 314; 1975 c. 320; 1977 c. 68; 1983 a. 56, 175, 243, 538; 1989 a. 335; 1991 a. 83, 87; 1993 a. 260; 1995 a. 131, 138, 216, 373; 1997 a. 27.

and electric personal assistive mobility devices

SECTION #. CR; 346.94 (18)

(B) (CS)

346.94 (18) ELECTRIC PERSONAL ASSISTIVE

=

MOBILITY DEVICES ON ROADWAY. (a) 1. Except

as otherwise prohibited in this chapter, a person

may operate an electric personal assistive mobility

device upon any roadway that is under the

jurisdiction of the department.

and subject to s.

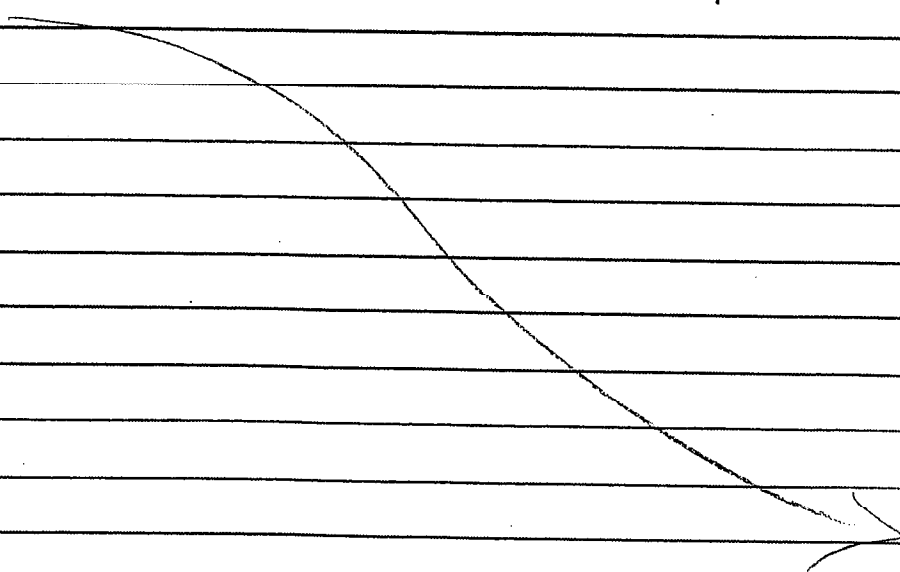
349.236(1)(b)✓

2. Notwithstanding subd. 1., the department may

prohibit electric personal assistive mobility devices

upon any roadway under ~~the~~ the department's jurisdiction for which

the speed limit is more than 25 miles per hour.



~~Section #. 346.94 (17) (a) of the statutes~~

(6)

~~346.94 (17) (a)~~ A person riding upon in-line skates may ~~go~~ upon any roadway under the jurisdiction of a local authority, subject to any ~~restrictions~~ specified by municipal ordinance enacted under s. ~~349.236~~.
prohibitions

History: 1973 c. 182, 314; 1975 c. 320; 1977 c. 68; 1983 a. 56, 175, 243, 538; 1989 a. 335; 1991 a. 83, 87; 1993 a. 260; 1995 a. 131, 138, 216, 373; 1997 a. 27.

349.236 ✓

operate an electric
personal assistive
mobility device

Section #. 346.95 (6) of the statutes is amended to read:

346.95 (6) Any person violating s. 346.94 (17) or (18) ✓ may be required to forfeit not less than \$10 nor more than \$20 for the first offense and not less than \$25 nor more than \$50 for the 2nd or subsequent conviction within a year.

History: 1971 c. 278; 1973 c. 182, 314, 336; 1975 c. 297, 320; 1977 c. 68; 1983 a. 56, 175, 538; 1989 a. 335 s. 89; 1991 a. 83; 1993 a. 260, 455; 1995 a. 194, 373, 420; 1999 a. 109.

SECTION #. CR; 347.02 (1) (i) ✓

347.02 (1) (i) Electric personal assistive mobility devices.

travels
Section #. 347.245 (1) of the statutes is amended to read:

any
347.245 (1) After January 1, 1970, no person may operate on a highway, day or night, any vehicle or equipment, animal drawn vehicle, or any other machinery, including all road machinery, that usually ~~travel~~ ^{of} at speeds less than 25 miles per hour or any vehicle operated under a special restricted operator's license issued under s. 343.135, unless there is displayed on the most practicable visible rear area of the vehicle or combination of vehicles, a slow moving vehicle (SMV) emblem as described in and displayed as provided in sub. (2). Any towed vehicle or machine is exempt from this provision if the towing vehicle is visible from the rear and is in compliance with this section. All road machinery is excluded when it is engaged in actual construction or maintenance work either guarded by a flagman or clearly visible warning signs. Except as provided in s. 347.21 (1), the requirement of the emblem shall be in addition to any lighting devices required or permitted by law. Mopeds and bicycles are excluded from the provisions of this section unless they are operated under a special restricted operator's license issued under s. 343.135. motor The SMV emblem need not be displayed on vehicles moving directly across the highway.

History: 1977 c. 29, 288; 1979 c. 34; 1981 c. 138; 1987 a. 164.

Electric personal assistive mobility devices are excluded from the provisions of this section.

Section #. 347.489 of the statutes is amended to read:

or electric personal
assistive mobility device

and electric personal
assistive mobility
devices

347.489 Lamps and other equipment on bicycles and motor bicycles. (1) No person may operate a bicycle ~~or~~² motor bicycle upon a highway, sidewalk, bicycle lane, or bicycle way during hours of darkness unless the bicycle ~~or~~² motor bicycle is equipped with ~~or~~ the operator is wearing a lamp emitting a white light visible from a distance of at least 500 feet to the front of the bicycle ~~or~~² motor bicycle. A bicycle ~~or~~² motor bicycle shall also be equipped with a red reflector that has a diameter of at least 2 inches of surface area on the rear so mounted and maintained as to be visible from all distances from 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red or flashing amber light visible from a distance of 500 feet to the rear may be used in addition to but not in lieu of the red reflector.

(2) No person may operate a bicycle ~~or~~² motor bicycle upon a highway, bicycle lane, or bicycle way unless it is equipped with a brake in good working condition, adequate to control the movement of and to stop the bicycle ~~or~~² motor bicycle whenever necessary.

(3) No bicycle ~~or~~² motor bicycle may be equipped with nor may any person riding upon a bicycle ~~or~~² motor bicycle use any siren or compression whistle.

History: 1973 c. 182, 333; 1977 c. 208; 1983 a. 243 s. 39; Stats. 1983 s. 347.489; 1995 a. 138.

or electric personal assistive mobility device

with respect to a bicycle
or motor bicycles

349,015 is
Section #. ~~346.02 (title) and (a)~~ of the statutes ~~are~~ created to read:

(B)
349.015

(B) to electric personal assistive mobility devices

~~346.02 (title)~~ Applicability of chapter

History: 1971 c. 125, 277; 1981 c. 390 s. 252; 1983 a. 243; 1985 a. 29, 69; 1989 a. 56 s. 259; 1989 a. 335 s. 89; 1995 a. 138.

~~(4) APPLICABILITY TO PERSONS RIDING BICYCLES AND MOTOR BICYCLES. (a) Subject to the special provisions applicable to bicycles, every person riding a bicycle upon a roadway or shoulder of a highway is granted all the rights and is subject to all the duties which this chapter grants or applies to the operator of a vehicle, except those provisions which by their express terms apply only to motor vehicles or which by their very nature would have no application to bicycles. For purposes of this chapter, provisions which apply to bicycles also apply to motor bicycles, except as otherwise expressly provided.~~

~~(b) Provisions which apply to the operation of bicycles in crosswalks under ss. 346.23, 346.24, 346.37 (1) (a) 2., (c) 2. and (d) 2. and 346.38 do not apply to motor bicycles.~~

History: 1971 c. 125, 277; 1981 c. 390 s. 252; 1983 a. 243; 1985 a. 29, 69; 1989 a. 56 s. 259; 1989 a. 335 s. 89; 1995 a. 138.

An electric personal assistive mobility device shall be considered a vehicle for purposes of this chapter

electric personal assistive mobility devices

BILL

Section 30

#. 349.236

③ 349.236 SECTION 30. 349.237 of the statutes is created to read:

electric personal
assistive mobility
devices. (B)(1)

Authority to regulate operation of low speed vehicles. The governing body of any municipality or county may, by ordinance, do any of the following:

(1) ~~Restrict the operation of low speed vehicles on any roadway under its jurisdiction where the speed limit is 25 miles per hour or less.~~

electric personal
assistive mobility
devices

(b) ~~Designate and mark locations for low speed vehicles to cross a state trunk highway or connecting highway that is not a controlled-access highway.~~

A and on which the municipality or county may erect official signs or otherwise mark a crossing designated under this subsection only as directed by the department.

which the department has prohibited the operation of electric personal assistive mobility devices under s. 346.94 (18) (a) 2

SECTION 31. 779.41 (2) of the statutes is amended to read:

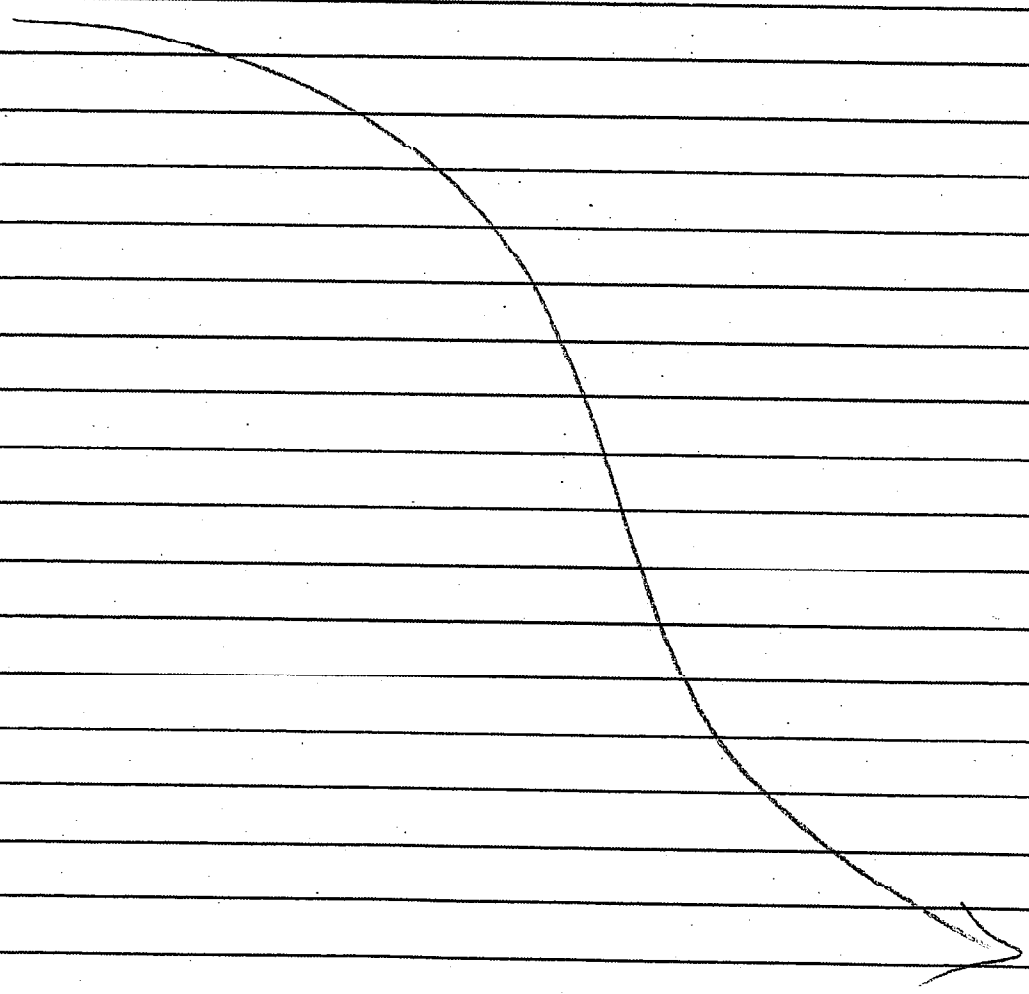
779.41 (2) Every keeper of a garage or repair shop who alters, repairs or does any work on any detached accessory, fitting or part of an automobile, truck, motorcycle, moped, low-speed vehicle, motor bicycle or similar motor vehicle or bicycle at the request of the owner or legal possessor thereof, shall have a lien upon and may retain possession of any such accessory, fitting or part until the charges for such alteration, repairing or other work have been paid. If the detached article becomes attached to such motor vehicle or bicycle while in the possession of the keeper, the keeper has a lien on the motor vehicle or bicycle under sub. (1).

(END)

(a) Prohibit the operation of electric personal assistive mobility devices on all roadways under its jurisdiction having a speed limit of more than 25 miles per hour or only on certain roadways, or portions of such roadways, under its jurisdiction having a speed limit of more than 25 miles per hour that are designated in the ordinance.

(B)

(2) Except as otherwise provided in this chapter or ch. 346, the governing body of any municipality or county may not restrict the operation of electric personal assistive mobility devices on any roadway under its jurisdiction.



Section #. 779.41 (2) of the statutes is amended to read:

, or an electric personal assistive mobility device

779.41 (2) Every keeper of a garage or repair shop who alters, repairs, or does any work on any detached accessory, fitting² or part of an automobile, ^atruck, ^amotorcycle, ^amoped, ^amotor bicycle, or similar motor vehicle² ~~or bicycle~~² at the request of the owner or legal possessor thereof, shall have a lien upon and may retain possession of any such accessory, fitting² or part until the charges for such alteration, repairing, or other work have been paid. If the detached article becomes attached to such motor vehicle² ~~or bicycle~~² while in the possession of the keeper, the keeper has a lien on the motor vehicle² ~~or bicycle~~² under sub. (1).

History: 1971 c. 333; 1979 c. 32 s. 57; 1979 c. 176, 252; Stats. 1979 s. 779.41; 1983 a. 243; 1987 a. 399; 1995 a. 107, 331; 1997 a. 35.

, or electric personal assistive mobility device

(END)

D-NOTE

LRB-4363/Pldn
TNF:Kmg:

DRAFTER'S NOTE

ATTN: Vaughn Vance

I made this a preliminary draft because I
want to make sure ^{that} it satisfies your intent.

It might be helpful if I met with you to
discuss the draft because it is fairly long
and (at times) complicated.

TNF

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4363/P1dn
TNF:kmg:ch

December 28, 2001

ATTN: Vaughn Vance

I made this a preliminary draft because I want to make sure that it satisfies your intent. It might be helpful if I met with you to discuss the draft because it is fairly long and (at times) complicated.

Timothy N. Fast
Senior Legislative Attorney
Phone: (608) 266-9739
E-mail: tim.fast@legis.state.wi.us

Fast, Timothy

From: Vance, Vaughn
Sent: Wednesday, January 02, 2002 3:57 PM
To: Fast, Timothy
Cc: 'stengergov@aol.com'
Subject: Scooter Bill

Just a note to confirm that we will be meeting in Tim's office at LRB, 100 N. Hamilton, at 10AM, tomorrow, Thursday January 3, 2002.

Let me know if you have questions or concerns. Roger may or may not be in attendance at the meeting.

VAUGHN

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4363/P1dn
TNF:kmg:ch

December 28, 2001

ATTN: Vaughn Vance

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Timothy N. Fast
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Phone: (608) 266-9739
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Access to state trails - DNR

X "Electric Personal Assistive Mobility Device" (EPAMD) means a self-balancing two non tandem wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less."

Or

"Electric Personal Assistive Mobility Device" (EPAMD) means a self-balancing, two non-tandem wheeled device, designed to transport only one person, with an electric propulsion system with average power of 750 watts (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a propulsion system while ridden by an operator who weighs 170 pounds, is less than 20 mph."

Vaughan -
Can we change the defn.
to the 1st one here in
the bill draft.
PKS